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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,552	03/29/2001	Darin Wayne Higgins	108344.00013	4976

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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

AMINI, JAVID A

ART UNIT PAPER NUMBER

2672

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,552

Applicant(s)

HIGGINS ET AL

Examiner

Javid A. Amini

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/29/05;10/20/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,13-17 and 19-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/20/2005</u> <i>page 3 of 3 is missing</i> | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments with respect to claims 1, 13-17, 19-22 and 23 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 10/20/2005 was filed after the mailing date of the Non-final rejection on 6/29/2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 13-17, 19-22 and 23 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim language such as "a boundary" is not defined in the specification. The response to the following questions may enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Art Unit: 2672

What is the definition for a boundary in claim 1? What are the coordinates designated for converting the first and the second maps?

Re. Applicant's remark on page 9, lines 14-21 dated 9/29/2005, disclosed that the specification fully enables determining the boundaries of a region, see page 10, lines 11-14.

Examiner's comment: The specification where Applicant pointed it out at page 10, lines 11-14 discloses, as follows: " manipulation and view the maps, continue to manipulate the maps, or annotate the map (step 450). Note that the steps above are performed rapidly enough, in the preferred embodiment, that it appears that the user is manipulating both maps in synchronicity". The answers to the questions above are still not clear.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 13-17, 19-22 and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu US- 5,631,970 (from Applicant's 1449 dated 10/7/2005), and further in view of Hancock et al. hereinafter, Hancock, US-6,202,023 B1.

Re. claim 1, Hsu in fig. 2 as labeled with prior art illustrates five different layers with geographically similar to each other, the preamble of the claim invention claims, as follows: selecting a boundary of a geographic region, which is present on both a first map and a second map, in the first map", Hsu in fig. 3 step 104 illustrates processing of the layers (i.e. maps)

Art Unit: 2672

converts vector to raster data and correlates the geometric points. Hsu in the same fig. step 114 illustrates image display, as Applicant claims, as follows: "Converting first map coordinates designating the boundary of the geographic region selected on the first map into geographic coordinates using a georeferencing function of the first map; converting the geographic coordinates to corresponding second map coordinates designating the boundary of the geographic region on the second map using a georeferencing function of the second map; and automatically adjusting a boundary of the second map to correspond to the selected boundary." Hsu at col. 8 lines 54-65 discloses that the first component of the system (i.e. in fig. 3) means for accepting various information sources as input to a second-generation GIS system, shown at reference numeral 100. The system accepts multiple data sources 100 for one common geographical area. The sources can be existing maps, geo-coded, Socio-economic data such as census tracks, and various images such as LANDSAT and SPOT satellite imagery. The most common information sources are images and maps. This component 100 allows all data to conform to a common format: a layer of information is equivalent to a data matrix. Examiner's note: Hsu at col. 4, lines 16-17 discloses providing an environment for efficient and effective interlayer communication by converting the vector map into raster map. Hsu at the same col. lines 8-10 teaches if the SPOT image information (interpretation: can be similar to manipulating an area in a map) can be converted to one land use layer, the system would still have to handle seven layers of information. Examiner's comment: Since the reference Hsu implements several layers of information similar to fig. 3, then if a person manipulates an area in one of the layers or maps, the corresponding coordinates would be in the same area associated with manipulated layer, i.e. similar to what claim invention claims, as follows: "Converting first map coordinates

Art Unit: 2672

designating the boundary of the geographic region selected on the first map into geographic coordinates using a georeferencing function of the first map; converting the geographic coordinates to corresponding second map coordinates designating the boundary of the geographic region on the second map using a georeferencing function of the second map". Hsu in fig. 3 step 102 discloses the following claim invention as a storage platform coupled to the map processing platform; and Hsu in fig. 3 the system allows the user to perform GIS analysis in a totally automated environment through the use of the expert system 110 and 112 to control the entire object extraction process. The reference Hsu is silenced about geographical coordinates, however, Hancock at col. 10, lines 48-65 discloses allowing locational addresses to be converted to other global addressing systems, is also provided. A further description of the district grid is needed to understand this relationship. Each district has a reference point, with the reference point being the approximate center of the city used in naming the district. A grid is placed in relation to the reference point such that the origin of the grid is aligned with the nearest intersection of latitude and longitude lines corresponding to the largest grid resolution in the district. Since the reference point has a known WGS-84 address, by knowing the origin offset, the district rotation, and the district scale, every ULA can be translated into a WGS-84 address, and from there into nearly all locational reference systems. Conversely, every WGS-84 address may be translated into one or more ULAs. The translation is simplified in the subject invention as the district grid system is generally aligned to the WGS-84 latitude/longitude grid. Thus, it would have been obvious to a person skill in the art at the time of the invention to substitute applicant's described structure, by modifying steps of 53, 55 and 77 in fig. 4 and step 49 in fig. 3

Art Unit: 2672

of Hancock into Hsu's fig. 3 step 102 in order to achieve what applicant claimed as a claim invention.

Re. claim 13, Hsu in fig. 3 the system allows the user to perform GIS analysis in a totally automated environment through the use of the expert system 110 and 112 to control the entire object extraction process.

Re. claims 14 and 15, Examiner's comment: Since the reference Hsu implements several layers of information similar to fig. 3, then if a person manipulates an area in one of the layers or maps, the corresponding coordinates would be in the same area associated with manipulated layer, i.e. similar to what claim invention claims.

Re. claims 16-17, Hsu in fig. 3 step 114 displays the image data that are connected to each other as shown by arrows.

Re. claim 19, Hsu at col. 14 lines 10-59 teaches the claim languages.

Re. claims 20-23, see rejection of claim 1 that applies to claims 20-23. Applicant does not mention the term "transparent" in independent claims 1 and 20, however, it mentioned in claims 21-23. Hsu at col. 3, lines 28-32 teaches the ARC/INFO method digitizes five vector-based maps and then uses a multiple map overlay analysis to locate the site. The vector-based maps represent landuse (fig. 1a), soils (fig. 1b), sewers (fig. 1c), streams (fig. 1d), and polygonal area (fig. 1e).

Conclusion

Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 10/20/2005 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

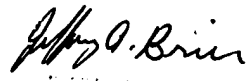
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2672

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JAVID A. AMINI
PRIMARY EXAMINER

Javid A Amini
Examiner
Art Unit 2672

Javid Amini